IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Writ Petition No. 2909 of 2006

Mr.Sandeep R.Makhecha ..Petitioner

vs.

Dr.Harish Panchal and ors. ..Respondents.

Shri V.A.Thorat with Smt.Gouri Jadhav for petitioner.
Shri P.S.Dani with Shri Kailash S.Dewal i./b India Law Alliance for respondent nos. 1 and 2.
Shri sachin Mandlik with Shri Yogesh Sawant i/b DSK Legal for respondent no.3.

CORAM: S.B.MHASE J.
5th May, 2006

P.C.

. Heard learned counsel for the parties for some time.

2. Learned counsel for the petitioners states that he may be allowed to withdraw the petition with liberty to raise the grounds raised in this petition before the Joint Charity Commissioner and with a further direction to the Joint Charity Commissioner to dispose of the matter as early as possible within a period of 3 months. Shri Dani for the respondents has no objection for such course being adopted. In view of this leave to withdraw the petition is hereby granted with liberty to raise the grounds raised in this petition before the Joint Charity Commissioner. The Joint Charity Commissioner shall dispose of the proceedings under sec.41-D as early as possible and within a period of 3 months. Both the parties shall cooperative with the Joint Charity Commissioner to dispose of the matter within the stipulated period. learned Counsel for the petitioners

makes a request that the final adjudication by the Joint Charity Commissioner shall be uninfluenced by the interim order. Needless to say that the Joint Charity Commissioner will ignore the observations made by him in the interim order while evaluating finally the evidence adduced before him while disposing of the application under sec.41-D finally.

(S.B.MHASE J.)